

REMARKS

Claims 1-63 are pending. Independent claims 1, 11, 23, 28, 38, 45, and 54 were rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu (US005883901A) in view of Casement (US005969748A).

Chiu describes a Signal Conversion System (SCS) connected to a cable modem. The Signal Conversion System (SCS) uses the Disable/Enable Cable Modem Request subframe type "to turn on and off a particular cable modem 113. The subframe type is 0x03 for Disable and 0x05 for Enable. The Disable/Enable CM subframe is a six-byte MAC modem address field that uniquely identifies the particular CM 113 the frame is directed to." (Col 12, Lines 45-51) The Examiner notes that "Chiu does not disclose disabling the cable modem for periodic intervals separated by activation windows."

Casement describes a "television (TV) schedule system with the capability for controlling access to TV programs." (Col 2, Lines 50-52) "The user may also lock specified time periods to prevent TV viewing during those times. The user may further specify the frequency of the lock, e.g., for a single day, for Monday through Friday only, weekends only, or for every day of the week. FIG. 2E shows pop-up 62, which requests user input for the time period during which TV viewing should be prevented. As shown, the user may specify the time to begin locking (the default time is 2:30 pm), the time to end locking (the default time is 5 pm), and the frequency of the lock (the default frequency is for a single day)." (Col 4, Line 61 – Col 5, Line 5) The user enters a password when a pop-up appears "asking for the parental password. The solid blue screen will disappear, and mute will be disabled when the correct password is entered." (Col 3, Lines 39-41)

However, it is respectfully submitted that there is insufficient motivation to combine the Signal Conversion System reference by Chiu with the television schedule system reference by Casement. First of all, the Chiu and Casement references are in disparate art areas. Chiu relates to cable modems while Casement relates to television set top boxes. Chiu disables a hardware cable modem. Casement merely allow software to filter out undesired programming. Chiu allow upstream and downstream packet transmission while Casement allows downstream video transmission and not necessarily any upstream transmission. Furthermore, Casement actually teaches away from the techniques of the present invention.

The independent claims variably recite a headend sending a message to disable cable modem receiver circuitry for periodic intervals separated by activation windows. Chiu only describes a Disable/Enable Cable Modem Request subframe type that is used by the Signal Conversion System (SCS) to turn on and off a particular cable modem including not only receiver circuitry but transmitter circuitry and other circuitry as well. Casement describes a TV programming control system that gives a user the power to restrict access to programming by using a password. User input and user discretion is used to restrict access to programming. One parent may elect to restrict a teenager from watching adult programming. Another parent may elect to prevent a child from viewing anything other than public television programming. Still another user may want to limit use of a television to two hours a day. The user input and user discretion in Casement teaches away from using a headend to send a message to disable receiver circuitry for periodic intervals. A headend sending a message to disable receiver circuitry for periodic intervals can not take into consideration user, parental, or personal judgment which is the purpose of the Casement TV program control system. Casement not only provides no motivation to combine, but actually teaches away from a combined system because Casement emphasizes control of the user and not of any headend.

In light of the above remarks relating to independent claims the remaining dependent claims are believed allowable for at least the reasons noted above. Applicants believe that all pending claims are allowable. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Godfrey K. Kwan
Reg. No. 46,850

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100